

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

JEFFERY A. DEER

PETITIONER

V.

CIVIL ACTION NO. 3:12CV180 DPJ-FKB

JOHN WRIGHT

RESPONDENT

ORDER

This cause came on this date to be heard upon the Report and Recommendation [12] of the United States Magistrate Judge, after referral of hearing by this Court. Magistrate Judge Ball recommended dismissal of Deer's petition for writ of habeas corpus as untimely pursuant to 28 U.S.C. § 2244(d). Deer did not file an Objection to the Report and Recommendation, and the time to do so has now passed.<sup>1</sup> The Court, having fully reviewed the unopposed Report and Recommendation of the United States Magistrate Judge entered in this cause, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of United States Magistrate Judge F. Keith Ball be, and the same is hereby, adopted as the finding of this Court, and the same entire action should be dismissed with prejudice.

A separate judgment will be entered herein in accordance with the Order as required by Rule 58 of the Federal Rules of Civil Procedure.

**SO ORDERED** this the 27<sup>th</sup> day of December, 2012.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Deer also failed to respond in opposition to Wright's motion to dismiss [11].